18



Document 2014 457

Book 2014 Page 457 Type 06 001 Pages 2 Date 2/28/2014 Time 10:19 AM

Rec Amt \$12.00

INDX1 ANNO SCAN

LISA SMITH, COUNTY RECORDER MADISON COUNTY IOWA

CHEK

Prepared by and return to: Matt Ott 515-281-2203

MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO BOX 657 DES MOINES, IA 50306-0657

MIDAMERICAN ENERGY COMPANY OVERHEAD ELECTRIC EASEMENT

Folder No. 008-14
Work Req. No. DR2391610
Project No. A1141

State of <u>lowa</u>
County of <u>Madison</u>
Section <u>5</u> SW
Township <u>77</u> North

Range $\overline{27}$ West of the 5th P.M.

1. For and in consideration of the sum of <u>One and no/100-----</u>Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa corporation, receipt of which is hereby acknowledged, the undersigned owner(s) <u>Ryan D. Marquardt and Janice D. Marquardt, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common</u> (Grantor), its successors and assigns, does hereby grant to MIDAMERICAN ENERGY COMPANY (Grantee), its successors and assigns, a perpetual, non- exclusive easement to construct, reconstruct, operate, maintain, replace or remove electric supply line(s) for the transmission and distribution of electric energy and for communication and electrical controls, including other necessary poles, wires, guys, guy stubs, anchors, including other reasonably necessary equipment incident thereto (collectively "facilities") upon, over, along, and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("easement area").

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

N ½ NE ¼ SW ¼ OF SECTION 5, TOWNSHIP 77 N, RANGE 27 WEST OF THE $\mathbf{5}^{\text{TH}}$ P.M., MADISON COUNTY, IOWA

EASEMENT AREA:

An overhead electric easement described as follows:

SAID EASEMENT BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT NORTHEAST CORNER OF THE PROPERTY, THENCE WEST 380 FEET, MORE OR LESS TO THE POINT-OF-BEGINNING; THENCE SOUTHWESTERLY 25 FEET, MORE OR LESS, TO A POINT WHICH IS 20 FEET, MORE OR LESS, SOUTH OF THE NORTH PROPERTY LINE AND 400 FEET, MORE OR LESS, OF THE EAST PROPERTY LINE.

2. Additionally, Grantee shall have the right to remove from the easement area described above, any obstructions, including but not limited to, trees, plants, undergrowth, buildings, fences and

structures that interfere with the proper maintenance of said facilities and equipment.

- Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants, or other objects on the easement area described above, or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's right to operate and maintain its facilities, and that no act shall be performed which violates the clearance requirements of the National Electrical Safety Code and/or the rules of the Iowa Utilities Board or its successor.
- In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal, of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the facilities, (except for damage to property placed subsequent to the granting of this easement), that Grantee determines interferes with the operation and maintenance of the facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the easement area is expected and not considered damage to the Grantor.

anice D. Marquardt

ACKNOWLEDGMENT

STATE OF

COUNTY OF

This instrument was acknowledged before me on _____February D. Marquardt and Janice D. Marquardt as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

> MATT OTT Commission Number 774835 My Commission Expires

Notary Public in and for said State